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EXAMINER	
HAMMOND III, THOMAS M	

ART UNIT	PAPER NUMBER
3695	

NOTIFICATION DATE	DELIVERY MODE
10/20/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/608,764	Applicant(s) ALLEN ET AL.	
	Examiner THOMAS M. HAMMOND III	Art Unit 3695	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

1. This action is in reply to Applicant's response filed on 10 July 2008.

2. Claims 1-2, 4, 6-7, 9 and 11-13 have been amended.

3. Claim 14 has been newly added.

4. Claims 1-14 are currently pending and have been examined.

Response to Arguments

5. With regard to the Applicant's arguments, the new grounds of rejection necessitated by the Applicant's amendments to the claimed invention renders them moot.

Previous Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

> *Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.*

7. Claims 11-12 were rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

8. The claims, as recited are directed toward a system for performing the method of the Applicant's invention. However, such claims continue to reflect only intangible limitations. It is also unclear whether the Applicant is seeking protection on a system or a computer program product, in light of the amendments. Although the Examiner appreciates the Applicant's attempt to cure these deficiencies under the guidelines of US Patent 5710578, the Examiner asserts that the claims remain deficient. In order to claim a system, the Applicant must identify the tangible, functional components of the system. Since computer useable medium has not been defined in the specification, it can be interpreted to encompass signals, carrier waves, and the like. Such abstract ideas are not eligible for patent protection. In the instant application, the structural limitations of an input device, a processor, a terminal, a database, and a network, if added to the body of the claim, would be sufficient to define the system. On the contrary, if the computer program product is sought, the program must be tangibly embodied on a computer readable medium and executable on a computer to perform the steps of the invention.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claim 1 recites the limitations, “determining if the request…” and “if the request includes the natural query language”. These steps are not positively recited or they do not present the alternative *if not* scenario. Therefore it is unclear what the scope of this limitation is. For the purposes of examination, the Examiner will interpret this limitation as if it were positively recited, as originally presented.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

13. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Shoolery et al., US Patent No. 5,570,283,* in view of, *Buchanan, US Patent No. 6,009,408.*

As per claim 1

Shoolery teaches:

- Receiving, at a transaction processor host, a request for the travel expense report, wherein the request includes data selection criteria comprising a corporate transaction account provider identifier, an air sector, and a fare basis code (see at least column 5, lines 13-64)
- Determining if the request includes a natural language query (see at least column 7, lines 1-36)
- Parsing the request to retrieve the data selection criteria form the natural language query if the request includes the natural language query (see at least column 7, lines 1-36)
- Receiving a categorized view instruction, wherein the categorized view instruction determines a data placement and format for the processed travel expense report (see at least column 7, lines 21-36)
- Formatting the data selection criteria in accordance with format requirements of a plurality of disparate travel sources, wherein the plurality of disparate travel sources comprise at least one of: a Customer Reservation System (CRS) and an air carrier which store travel transaction data including travel cost data (see at least column 4, lines 25-45)
- Retrieving the travel transaction data from at least one of the plurality of disparate travel sources in accordance with the data selection criteria, wherein the travel transaction data includes the travel cost data,

the air sectors, and the fare basis codes provided by the air carrier, wherein the travel transaction data is obtained by the transaction processor (see at least column 7, lines 37-67; column 8, lines 1-4; column 5, lines 13-42)

- Adding proprietary information to the financial transaction account data and the travel transaction data, wherein the proprietary information relates to a host supplier network (see at least column 4, lines 46-65)
- Adding to the travel expense report, line item detail from the travel transaction data (see at least column 8, lines 32-49)
- Analyzing metadata associated with data elements of the financial transaction account data and data elements of the travel transaction data to determine relationships between the data elements (see at least column 4, lines 46-65)
- Positioning each of the data elements according to the relationships and in accordance with the categorized view instruction, wherein the data elements are marked as billed or unbilled (see at least column 8, lines 32-49)
- Conditioning the data elements to create the processed travel expense report for transmission to a client, the transaction and sending the processed financial data travel expense report to a client, wherein the client analyses the data travel expense report to determine a level of spend for a defined item over a defined time (see at least column 4, paragraphs 8-25)

Shoolery does not teach:

- Formatting the data selection criteria in accordance with format requirements of each of a plurality of disparate financial sources, wherein the plurality of disparate financial sources comprise financial account providers which store financial transaction account data including financial charge data
- Retrieving the financial transaction account data, including the financial charge data, from at least one of the plurality of disparate financial sources in accordance with the data selection criteria
- Adding to the travel expense report, line item detail including the financial charge data from the financial transaction data

Buchanan teaches:

- Formatting the data selection criteria in accordance with format requirements of each of a plurality of disparate financial sources, wherein the plurality of disparate financial sources comprise financial account providers which store financial transaction account data including financial charge data (see at least column 3, lines 40-57; column 11, lines 1-63)
- Retrieving the financial transaction account data, including the financial charge data, from at least one of the plurality of disparate financial sources in accordance with the data selection criteria (see at least column 3, lines 40-57; column 11, lines 1-63)
- Adding to the travel expense report, line item detail including the financial charge data from the financial transaction data (see at least column 3, lines 40-57; column 11, lines 1-63)

However, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Shoolery, the teachings of Buchanan. Furthermore, one would have been motivated to do so in order to provide better management of travel expenses in a corporate environment (see at least Shoolery column 8, lines 27-31).

As per claim 2

Shoolery, in view of Buchanan, teaches the method of claim 1, as described above.

Shoolery further teaches:

- The conditioning step includes converting the data elements from at least one of: the disparate travel sources or the disparate financial sources into a single format (see at least column 4, lines 46-65)

As per claim 3

Shoolery, in view of Buchanan, teaches the method of claim 2, as described above.

Shoolery further teaches:

- Formatting the processed financial transaction account data into a report (see at least column 4, lines 46-65; column 8, lines 32-49)

As per claim 4

Shoolery, in view of Buchanan, teaches the method of claim 3, as described above.

Shoolery further teaches:

- Receiving a query associated with the request (see at least column 4, lines 46-65)
- Processing the financial transaction account data and the travel transaction data to extract account data satisfying parameters of the query (see at least column 5, lines 45-65)
- Sending the extracted account data to a client (see at least column 5, lines 45-65)

As per claim 5

Shoolery, in view of Buchanan, teaches the method of claim 4, as described above.

Shoolery further teaches:

- Formatting the extracted account data into a report (see at least column 5, lines 45-65)

As per claim 13

Shoolery, in view of Buchanan, teaches the method of claim 1, as described above.

Neither Shoolery nor Buchanan teaches:

- Wherein the disparate financial sources include regional providers of the corporate transaction account that operate as at least one of: a wholly owned organization, a franchise, and a partnership

However, the Examiner has previously taken OFFICIAL NOTICE that these types of businesses are old and well known in the art and are merely non-functional descriptions of the preferred embodiment of the Applicant's invention. The Examiner further asserts that the Applicant has not properly challenged such statement of OFFICIAL NOTICE, therefore rendering such statement prior art of record, henceforth.

As per claim 14

Shoolery, in view of Buchanan, teaches the method of claim 1, as described above.

Shoolery further teaches:

- Frequent flyer loyalty programs (see at least column 3, lines 7-25)

Buchanan further teaches:

- Applying loyalty points to the travel cost data in order to offset the financial charge data in an amount equal to a value of said loyalty points (see at least column 5, line 55 – column 6, line 4)

ADDITIONAL REJECTIONS

As per claims 6-12

With regard to claims 6-12, the Examiner has interpreted them to encompass substantially the same scope of subject matter as recited in claims 1-5 and 13-14. Accordingly, claims 6-12 are rejected in substantially the same manner as claims 1-5 and 13-14.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Hammond III whose telephone number is 571-270-1829. The examiner can normally be reached on Monday - Thursday, 7AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas M Hammond III
Patent Examiner, Art Unit 3695
US Patent & Trademark Office
08 October 2008

/Hani M. Kazimi/
Primary Examiner, Art Unit 3691